

**United States District Court**  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ADAM FERRARI

v.

WILLIAM FRANCIS

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CIVIL ACTION NO. 3:23-CV-0455-S


**ORDER**

This Order addresses Defendant William Francis's Motion to Dismiss Amended Complaint ("Motion") [ECF No. 9]. Having reviewed and considered the Motion, Plaintiff Adam Ferrari's Response in Opposition to the Motion [ECF No. 16], Defendant's Reply in Support of the Motion [ECF No. 28], and the applicable law, the Court **DENIES** the Motion.<sup>1</sup>

Applying the facial plausibility jurisprudence of *Bell Atlantic Corp v. Twombly*, 550 U.S. 544 (2007), and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009), and accepting all well-pleaded facts as true, and viewing them in the light most favorable to Plaintiff, the Court concludes that Plaintiff's First Amended Complaint pleads sufficient facts to state a claim to relief that is plausible on its face. Therefore, the Court therefore **DENIES** the Motion to Dismiss.

**SO ORDERED.**

SIGNED October 31, 2023.

  
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**KAREN GREN SCHOLER**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> In the Motion, Defendant asks the Court to take judicial notice of "court records related to criminal proceedings in which [Plaintiff] pleaded guilty to a felony." Mot. 6. The Court need not and does not consider this request, however, as the Court would reach the same conclusion regardless of whether it took judicial notice of the criminal records.